

**Appln No. 09/804,815**

**Amdt date May 15, 2008**

**Reply to Office action of August 28, 2007**

**REMARKS/ARGUMENTS**

Claims 1-35 and 46-58 are currently pending in this application. Claims 1, 5-7, 17, 21-22, and 46-54 have been amended. Claims 4 and 20 have been cancelled. Claims 57-58 have been added. The amendments find full support in the original specification, claims, and drawings. No new matter has been added. In view of the above amendments and remarks that follow, reconsideration and an early indication of allowance of claims 1-3, 5-19, 21-35, and 46-58 are respectfully requested.

Claims 1-35 and 46-56 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker et al. (U.S. Patent No. 6,263,505). Applicant respectfully traverses this rejection.

Claim 1, as amended, now directs the claims to "[a] method for providing interactive television (ITV) content for a television program via a server over a data communications network." The method includes, among other steps, "receiving from the server over the data communications network a message associated with at least one of the downloaded ITV components related to [a] particular television episode." The message includes a "message type identifier" where the "message type identifier identifies a specific layout template irrespective of the television program for displaying at least one of the downloaded ITV components . . . wherein the message type identifier minimizes data transfer over the data communications network by avoiding transmitting with the message specific graphics data that achieves the particular layout format." The amendment finds support in Applicant's specification, such as, for example, on page 4, 3rd paragraph, and on page 7, last paragraph. In the example given in this portion of Applicant's specification, the interactive content is a poll. The client receives a message that includes a "poll" message type and in response, formats the poll information using a poll template that utilizes radio buttons without having to transmit the graphics information associated with such radio buttons with the message. The claimed invention therefore allows delivery of "the same rich media experience to users with high or low Internet connection speeds." (Specification p. 4, 3rd par.).

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Walker fails to teach or suggest all of the limitations of amended claim 1. Walker indeed displays web pages via a conventional web browser. However, each layout element of those web pages are individually defined and transmitted with the web pages. Web browsers do not employ the claimed "message type identifier" that "identifies a specific layout template irrespective of the television program for displaying at least one of the downloaded ITV components . . . wherein the message type identifier minimizes data transfer over the data communications network by avoiding transmitting with the message specific graphics data that achieves the particular layout format," as is now claimed in claim 1. Any message from a server to the web browser in Walker is not configured to "minimize[] data transfer" in the manner that is claimed in claim 1.

The Examiner contends that the layout information in Walker is "layout information which is stored and retrieved in the client specific to the message type identifier for use to format the at least one of the downloaded interactive components in a particular layout format." (Office action, p. 2, section 4). If the Examiner is referring to the situation where a web page is locally stored at the client, nothing in Walker indicates that such web page is formatted and displayed by the client based on the claimed "message" received from the "server over the data communications network."

The Examiner also contends that web pages may be transmitted via conventional HTTP, "which is a specific type of layout irrespective of the television program." (Office action, p. 2, section 4). Applicant respectfully disagrees. HTTP is a communications protocol for providing information over the world wide web. The fact that web pages are transmitted using HTTP does not teach nor suggest the claimed "message type identifier" that "identifies a specific layout template irrespective of the television program for displaying at least one of the downloaded ITV components . . . wherein the message type identifier minimizes data transfer over the data communications network by avoiding transmitting with the message specific graphics data that achieves the particular layout format," as is now claimed in claim 1. Accordingly, claim 1 is in condition for allowance.

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Independent claims 17, 46, and 49 include limitations that are similar to the limitations of claim 1 which makes claim 1 allowable. Accordingly, claim 17, 46, and 49 are also in condition for allowance.

Claims 2-3, 5-16, 18-19, 21-35, 47-48, and 50-56 are also in condition for allowance because they depend on an allowable base claim, and for the additional limitations that they contain.

Claims 57-58 are new in this application. These claims are in condition for allowance because they depend on an allowable base claim, and for the additional limitations that they contain. Specifically, claim 57 adds the limitation that "the graphics data is preloaded by the client and the base software retrieves the preloaded graphics data that achieves the particular layout format," which is not taught nor suggested in Walker. Accordingly, claim 57 is also in condition for allowance for its added limitations.

Claim 58 adds the limitation that "the base software dynamically formats the at least one of the ITV components based on the message type identifier," which is not taught nor suggested in Walker. Accordingly, claim 58 is also in condition for allowance for its added limitations.

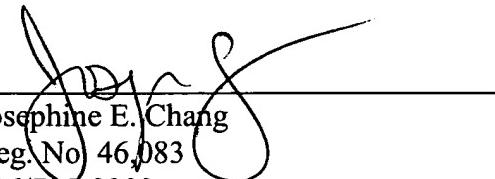
In view of the above amendments and remarks, reconsideration and an early indication of allowance of the now-pending claims 1-3, 5-19, 21-35, and 46-58 are respectfully requested.

Applicant submits herewith a copy of a Substitution of Attorney signed by the Assignee of this application which was mailed to the USPTO on December 19, 2006. As requested in that

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document, please direct all future communication to the undersigned at the address indicated therein. Applicant also requests the Examiner to contact the undersigned at the number indicated below resolve any remaining issues that may be addressed over the telephone.

Respectfully submitted,  
CHRISTIE, PARKER & HALE, LLP

By   
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Encl: Copy of Substitution of Attorney  
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